

**RESOLUTION NO. 04-01-08**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING AN AMENDMENT TO THE SITE PLAN FOR THE RESIDENTIAL CONDOMINIUM DEVELOPMENT KNOWN AS "VILLA LIANA" TO CHANGE THE ROOF DESIGN FOR THE BUILDING(S) FROM A FLAT ROOF TO A PITCHED ROOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission, as the governing body of the Town of Lake Park, Florida, is authorized and empowered to approve or deny, in whole or in part, petitions for development orders; and

**WHEREAS**, 10th Avenue, LLC, ("Applicant/Owner") is the owner of real property, located on the east side of 10<sup>th</sup> Street, Lake Park, Florida, also described as Lots 17 to 28, Block 47, more particularly described in **Exhibit "A"** ("subject property") attached hereto and incorporated by reference; and

**WHEREAS**, pursuant to Resolution No. 34-09-05, on October 19, 2005 the Town Commission approved a Site Plan for a project consisting of twelve (12) residential units to be known as "Villa Liana" on the subject property; and

**WHEREAS**, recently the Applicant/Owner submitted an application ("Application") for a major amendment to the approved Villa Liana Site Plan to change the proposed roof design for the buildings to a pitched roof design instead of a flat roof design; and

**WHEREAS**, Town staff and the Town's Planning & Zoning Board recommended approval of the Site Plan Amendment to the Town Commission; and

**WHEREAS**, The Town Commission has considered the evidence presented by staff, Applicant/Owner, and members of the public, regarding the Application's consistency with the Town's Comprehensive Plan, and whether it meets the Town's Land Development Regulations; and

**WHEREAS**, the Town Commission has determined that certain conditions as set forth herein, are necessary for the Amended Site Plan to be consistent with the Town's Comprehensive Plan, and to meet the Town's Land Development Regulations; and

**WHEREAS**, the Applicant/Owner, and its successors and assigns shall be subject to the conditions contained in Section 2 herein, and those set forth in Resolution No. 34-09-05.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:**

**Section 1:** The whereas clauses are incorporated herein as true and correct as the findings of fact and conclusions of law of the Town Commission.

**Section 2.** The Town Commission hereby approves the Application for a major amendment to the Villa Liana Site Plan to change the roof design from a flat roof to a pitched roof as more specifically depicted on the Amended Site Plan, referenced as sheet "304", dated 8/27/04, prepared by Ahrens Companies, revised on December 26, 2007, received and dated by the Department of Community Development on December 26, 2007, a copy of which is attached hereto as **Exhibit "B"**. The Applicant/Owner shall install all improvements in compliance with the Amended Site Plan. All terms and conditions of Resolution No. 34-09-05 and the original Villa Liana Site Plan, which are not amended by this Resolution, shall remain in full force and effect.

**Section 3:** This Resolution shall become effective upon adoption.

**Attachments: Exhibit "A"- Legal description  
Exhibit "B"- Amended Site Plan**

**EXHIBIT A**  
**Legal Description of Subject Property**

Lots 17-28 of Block 47, Kelsey City, now known as Lake Park, according to the map of plat thereof as recorded in Plat Book 8, Page 34, Public Records of Palm Beach County, Florida.

Together with:

Lot 23, Block 47, Kelsey City, now known as Lake Park, according to the map of plat thereof as recorded in Plat Book 8, page 34, Public Records of Palm Beach County, Florida, for Detention Area

The foregoing Resolution was offered by Commissioner Osterman, who moved its adoption. The motion was seconded by Commissioner Balius, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR PAUL W. CASTRO	<u>Absent</u>	<u>      </u>
VICE-MAYOR ED DALY	<u>✓</u>	<u>      </u>
COMMISSIONER CHUCK BALIUS	<u>✓</u>	<u>      </u>
COMMISSIONER JEFF CAREY	<u>✓</u>	<u>      </u>
COMMISSIONER PATRICIA OSTERMAN	<u>✓</u>	<u>      </u>

The Town Commission thereupon declared the foregoing Resolution NO. 04-01-08 duly passed and adopted this 16 day of January, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Ed Daly  
for PAUL W. CASTRO  
MAYOR

ATTEST:

Vivian Mendez  
VIVIAN MENDEZ  
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird  
for THOMAS J. BAIRD  
TOWN ATTORNEY